REMARKS

Petition for Extension of Time under 37 C.F.R. § 1.136(a)

Applicants submit herewith a Petition for a three month Extension of Time under 37 C.F.R. § 1.136(a). Applicants further submit herewith the payment of the fee due under 37 C.F.R. § 1.17(a).

Status of the Claims

Claims 1-23 are pending in the application. Claims 1 and 13 have been amended. No new matter is included in the amendments. No claims have been allowed.

Rejections under 35 U.S.C. § 103

Claims 1-23 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Jancula (U.S. Patent No. 7,266,684) in view of Gross (U.S. Patent No. 6,721,716). Applicants respectfully submit that the claims as amended would not have been obvious in view of Jancula and Gross.

Jancula teaches a method, software and apparatus that facilitates one or more third-party agents to securely access a customer's or other first party's private personal and financial data or other such confidential information from a second party, preferably on the Internet. A security document or ticket is presented to the second party for verifying the customer's consent to grant such access to the third party. The second party only communicates such confidential information to the third party if the security document is found to be valid. The security document, which can be at least partially encrypted, can also include a preselected expiration time, beyond which it is not valid. (Abstract). Once the "ticket" is created, the ticket is presented by an aggregator to a web site in order for the aggregator to obtain information on behalf of the first party (the user or customer). Any information that might be contained in the ticket is static. The ticket is merely accepted or not accepted by the web site as proof of the user's consent for the aggregator to access the web site on the user's behalf.

Applicants respectfully disagree with the interpretation of Jancula as stated in the Office action, for example at section 4: "Jancula discloses… obtaining information from third parties using the received user information; authenticating the user's ability to access the account based on the obtained information, wherein authenticating comprises verifying the user's identity by comparing user information received with user information obtained [Col. 5-6]." Applicants submit that Jancula merely discloses an electronic document or ticket that, once created, can allow two consenting parties, or even third parties to access private and confidential information on the Internet (Col. 5, lines 31-40). As such, Jancula does not disclose the financial management system obtaining user information, wherein obtaining comprises obtaining user information from third parties in real-time using the received user information; the financial management system authenticating the user's ability to access the account based on the obtained information, wherein authenticating comprises verifying the user's identity by comparing user information received from the user with user information obtained as claimed. The electronic ticket, once created, is either recognized or it is not. No inquires of the user are made and no access to third parties for information is involved.

The Office action states (at page 3, section 4) that Jancula fails to disclose querying the user for information, and if the user's identity is not authenticated, querying the user for additional user information. Applicants agree that Jancula does not include such disclosure. However, Applicants respectfully disagree that Gross supplies the deficiencies of Jancula. Specifically, Jancula teaches a Column 4 that certain fixed answers to user questions are stored. The user can be asked one of those, fixed, static questions and supply only one correct answer. This is in contrast to the invention, which includes the financial management system querying the user for user information; the financial management system obtaining user information, wherein obtaining comprises obtaining user information from third parties in real-time using the received user information; the financial management system authenticating the user's ability to access the account based on the obtained information, wherein authenticating comprises verifying the user's identity by comparing user information received from

the user with user information obtained. (Claim 1 as amended) On this basis alone, the invention would not have been obvious to one of ordinary skill in the art in view of Jancula and Gross. In addition, the combination does not result in the claimed invention.

Applicants further submit that neither of the cited references teach or suggest a financial management system executing a transaction at the request of the user, comprising the financial management system accessing more than one user account at least one financial institution and performing a transfer of funds, comprising the financial management system initiating a debit transaction and a credit transaction through an intermediate financial institution distinct from the at least one financial institution, as claimed. In contrast, Gross teaches a bill payment method that allows users to consolidate bills and pay them from a designated account. Both a biller and the user must have client software (see for example 120 and 126 of Figure 6). In the prior art, such bill payment systems facilitate a transaction directly between two financial institutions (the user's and the biller's). There is absolutely no teaching in either reference regarding a financial management system as claimed or a method that includes initiating a debit transaction and a credit transaction through an intermediate financial institution distinct from the at least one financial institution (the user's financial institution).

For all of these reasons, Applicants submit that claim 1 and its dependent claims 2-12 would not have been obvious to one of ordinary skill in the art.

Independent claim 13 includes a similar distinguished limitation. For this reason, Applicants respectfully submit that claim 13 and its respective dependent claims would not have been obvious in view of Jancula and Gross.
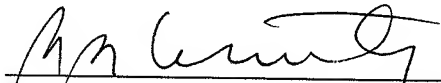
CONCLUSION

Applicants respectfully submit that the rejections have been overcome by the amendments and the claims as amended are allowable. The Examiner is invited to call the undersigned if there are any issues that remain to be resolved prior to allowance of the application.

AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT

Please charge deposit account 503616 for any fees due and not already paid herewith.

Respectfully submitted,
Courtney Staniford & Gregory LLP

Date: October 10, 2008

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